

STORAGE NAME: h0439.cu.doc
DATE: November 19, 2001

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
COLLEGES & UNIVERSITIES
ANALYSIS**

BILL #: HB 439
RELATING TO: Military/Dependent Education Benefit
SPONSOR(S): Representative(s) Stansel and Others
TIED BILL(S): None

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) COLLEGES & UNIVERSITIES
 - (2) EDUCATION APPROPRIATIONS
 - (3) COUNCIL FOR LIFELONG LEARNING
 - (4)
 - (5)
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I. SUMMARY:

Current statutory provisions grant educational opportunity at state expense for dependent children of Florida veterans or servicemen who died in action or died from service-connected diseases or disabilities or have been verified by the Florida Department of Veterans' Affairs as having service-connected 100 percent total and permanent disabilities, have been determined to have service-connected total and permanent disability ratings of 100 percent and are in receipt of disability retirement pay from any branch of the United States Armed Services, or are classified as prisoners of war or missing in action. Those wars, conflicts, or events covered in existing statutes include: Spanish-American War; Mexican Border Period; World War I; World War II, Korean Conflict; Vietnam War; Operation Eagle Claw, Iranian Rescue Mission; Multinational Peace Keeping Force in Lebanon; Operation Urgent Fury in Grenada; Newfoundland Air Tragedy; U.S.S. Stark Attack; Operation Just Cause in Panama; and the Persian Gulf War.

HB 439 provides educational opportunity at state expense for the dependent children of military personnel who were Florida residents and died or became disabled while participating in Operation Enduring Freedom, which began on October 7, 2001.

The number of students who will be eligible under this provision is not known at this time. The 2000-2001 appropriation to provide educational benefits for children of deceased or disabled veterans was \$333,250 of which \$251,191 was disbursed for 158 students.

The effective date of the bill is July 1, 2002.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|---|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a “no” above, please explain:

B. PRESENT SITUATION:

Scholarships for Children of Deceased or Disabled Veterans¹

Sections 295.01, 295.015, 295.016, 295.017, 295.018, 295.019, and 295.0195, F.S., provide educational opportunity at state expense for dependent children of Florida veterans or servicemen who died in action or died from service-connected diseases or disabilities or have been verified by the Florida Department of Veterans' Affairs as having service-connected 100 percent total and permanent disabilities, have been determined to have service-connected total and permanent disability ratings of 100 percent and are in receipt of disability retirement pay from any branch of the United States Armed Services, or are classified as prisoners of war or missing in action. The Florida Department of Veterans' Affairs certifies the official status of the veteran or serviceman. The veteran or serviceman must have served during one of the following wars, conflicts, or events:

World War I	April 6, 1917, through July 2, 1921
World War II	December 7, 1941, through December 31, 1946
Korean Conflict	June 27, 1950, through January 31, 1955
Vietnam Era.	August 4, 1964 - May 7, 1975
Operation Eagle Claw, Iranian Rescue Mission	April 25, 1980
Multinational Peace Keeping Force in Lebanon	September 17, 1982, through February 3, 1984
Operation Urgent Fury in Grenada	October 23, 1983, through November 2, 1983
Newfoundland Air Tragedy	December 12, 1985
USS Stark Attack	May 17, 1987
Operation Just Cause in Panama	December 1989

¹ The information in “Present Situation” comes from the Department of Education, Office of Student Financial Assistance and sections of Florida Statutes cited.

Persian Gulf War

August 5, 1990, and ending on a date to be determined by Presidential Proclamation or Act of Congress

The State Board of Education administers the program according to statute and Rule 6A-20.019, F.A.C.

Program Residency Requirements for Parents (Veteran or Serviceman)

Veterans and servicemen who served in World War I, World War II, the Korean Conflict, the Vietnam Era, or servicemen who died in the Newfoundland Air Tragedy must have been a Florida resident upon entering the Armed Services. Servicemen classified as prisoners of war or missing in action during the Korean Conflict or Vietnam Era are exempt from this requirement; however, they must have been permanent Florida residents on July 1, 1982.

Servicemen who died or became disabled in the following wars, conflicts or events must have been residents of Florida during the dates listed:

- Operation Eagle Claw, Iranian Rescue mission: 4/25/80
- Multinational Peace Keeping Force in Lebanon: 9/17/82-2/3/84
- Operation Urgent Fury in Grenada: 10/23/83-11/2/83
- Operation Just Cause In Panama: 12/89
- Persian Gulf War: 8/5/90 - present

Servicemen who died in the U.S.S. Stark Attack must have claimed Florida as their home of record on May 17, 1987.

Additionally, the parent(s) of a dependent student, who is applying for a scholarship, must have been a resident(s) of Florida for five years prior to the student's applying for a scholarship, if the veteran parent served in World War I, World War II, the Korean Conflict or the Vietnam Era.

Student Eligibility

Students must satisfy the following initial eligibility criteria to receive monies designated for scholarships for children of deceased or disabled veterans:

- Meet the general eligibility requirements for state financial aid as defined in s. 240.404, F.S., including residency in the state for no less than one year preceding the award of aid.
- Be a dependent child of a qualified veteran or serviceman whose official military and residency status is verified by the Florida Department of Veterans' Affairs.
- Be between the ages of 16 and 22.
- Have not previously received a bachelor's degree.
- Enroll for a minimum of twelve (12) credit hours, or the equivalent, per term at an eligible postsecondary institution.
- Enroll in an undergraduate degree or certificate program.
- Submit a complete Florida Financial Aid Application by April 1.
- Ensure that the Florida Department of Veterans' Affairs certifies the applicant's eligibility by May 1.

To be eligible for renewal, a student must have earned a minimum cumulative GPA of 2.0 on a 4.0 scale and earned 12 credit hours or 450 clock hours per term, or the equivalent, for the number of terms for which the award was received.

C. EFFECT OF PROPOSED CHANGES:

HB 439 creates section 295.0185, F.S., providing educational opportunity at state expense for the dependent children of military personnel who were Florida residents and died or became disabled during Operation Enduring Freedom, which began on October 7, 2001.

D. SECTION-BY-SECTION ANALYSIS:

See above sections.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

See fiscal comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

To the extent that qualifying dependents attend an eligible private institution, children of deceased or disabled veterans scholarship dollars will go to those institutions.

D. FISCAL COMMENTS:

The number of students who will be eligible under this provision is not known at this time. The appropriation for the program in 2000-2001 was \$333,250 of which \$251,191 was disbursed for 158 students. The table below details the expenditures in both the private and public sectors for 1996-97 through 2000-01:

Year	Private Sector		Public Sector		Total	
	Students	Expenditures	Students	Expenditures	Students	Expenditures
1996-97	0	\$0	64	\$82,293	64	\$82,293
1997-98	4	\$6,159	92	\$127,871	96	\$134,030
1998-99	6	\$12,918	108	\$157,737	114	\$170,655
1999-00	14	\$27,181	128	\$187,680	142	\$214,861
2000-01	14	\$25,484	144	\$225,707	158	\$251,191

Children of Deceased or Disabled – Veterans Expenditures for 1996-1997 through 2000-2001

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

This bill does not appear to violate any constitutional provisions.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON COLLEGES & UNIVERSITIES:

Prepared by:

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